

RECEIVED
CENTRAL FAX CENTER
JAN 03 2007

REMARKS

Response to Claim Rejections Under 35 U.S.C. §112

Claims 24, 25, and 26 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 24, 25, and 26 depend from a cancelled claim. Applicants have cancelled claims 24-26, so this rejection is moot.

Response to Double Patenting

Claims 27-33 were rejected by the Examiner under 35 U.S.C. §101 as claiming the same invention as that of claims 4-10 of prior U.S. Patent No. 6,712,775. Applicants have cancelled claims 27-33 without prejudice, so this rejection is moot.

Claims 35-37 were rejected by the Examiner on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,712,775. Claims 35-43 were rejected by the Examiner on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 5, 8, 9, and 17 of U.S. Patent No. 6,545,727 to Burbank et al. in view of U.S. Patent No. 6,494,881 to Bales et al.

In response, Applicants have filed concurrently herewith a Terminal Disclaimer (Signed by Attorney) with respect to U.S. Patent No. 6,712,775 and U.S. Patent No. 6,545,727. This rejection is now moot in view of the Terminal Disclaimer.

New Claims

Applicants have added new claims 44-47 which are broader in some respects to the pending claims. No new matter is introduced by these new claims.

Conclusion

Applicants believe that the pending claims are directed to patentable subject matter. Reconsideration and an early allowance of these claims are earnestly solicited.

Respectfully submitted,

By: 

Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

DUANE MORRIS LLP
One Market
Spear Tower, Suite 2000
San Francisco, CA 94105
Telephone: (415) 957-3000
Facsimile: (415) 957-3001
Direct Dial: (415) 957-3067